

Page 1 of 22
Permit No.: ST-9237
Issuance Date: October 25, 2004
Effective Date: December 1, 2004
Expiration Date: November 30, 2009

STATE WASTE DISCHARGE PERMIT NO. ST-9237

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
CENTRAL REGIONAL OFFICE

In compliance with the provisions of the
State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington, as amended,
and
the Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.,
authorizes

Crunch Pak, LLC
300 Sunset Highway
Cashmere, WA 98815

to discharge wastewater in accordance with the special and general conditions which follow.

<u>Facility Address:</u> Crunch Pak, LLC 300 Sunset Highway Cashmere, WA 98815	<u>Discharge Location</u> Latitude: 47° 31' 14" N Longitude: 120° 31' 48" W.
<u>Publicly Owned Treatment Works (POTW) Receiving Discharge:</u> City of Cashmere	
<u>Industry Type:</u> Sliced apple packing.	<u>SIC Code:</u> SIC #2099

G. Thomas Tebb, L.E.G.
Section Manager
Water Quality Program
Central Region Office
Washington State Department of Ecology

TABLE OF CONTENTS

	<u>Page</u>
SUMMARY OF PERMIT REPORT SUBMITTALS.....	4
SPECIAL CONDITIONS.....	5
S1. DISCHARGE LIMITATIONS.....	5
A. Outfall # 001 Process Wastewater	5
B. Outfalls # 002, # 003 & # 004 Non-Contact Cooling Water with Additives.....	5
S2. MONITORING REQUIREMENTS.....	6
A.1. Wastewater Monitoring Outfall #001	6
A.2.a. Non-Contact Cooling Water Monitoring.....	7
A.2.b. Additional Non-Contact Cooling Water Monitoring.....	7
B. Sampling and Analytical Procedures	8
C. Flow Measurement.....	8
D. Laboratory Accreditation	9
E. Request for Reduction in Monitoring	9
S3. REPORTING AND RECORDKEEPING REQUIREMENTS	9
A. Reporting.....	9
B. Records Retention.....	10
C. Recording of Results.....	10
D. Additional Monitoring by the Permittee	10
E. Noncompliance Notification.....	10
F. Dangerous Waste Discharge Notification.....	11
G. Spill Notification.....	11
H. Maintaining a Copy of This Permit	11
S4. OPERATION AND MAINTENANCE (O&M).....	11
A. O&M Manual.....	11
B. Bypass Procedures	13
S5. PROHIBITED DISCHARGES.....	14
A. General Prohibitions	14
B. Specific Prohibitions.....	14
C. Prohibited Unless Approved.....	15
S6. DILUTION PROHIBITED.....	15
S7. SOLID WASTE DISPOSAL.....	15
A. Solid Waste Handling	15
B. Leachate	15
C. Solid Waste Control Plan.....	16
S8. SPILL AND SLUG DISCHARGE PREVENTION AND CONTROL PLAN.....	16
S9. NON-CONTACT COOLING WATER RISK ANALYSIS REPORT	17
S10. COMPLIANCE SCHEDULE: WASTEWATER METERING & SAMPLING	18

GENERAL CONDITIONS	19
G1. SIGNATORY REQUIREMENTS.....	19
G2. RIGHT OF ENTRY	19
G3. PERMIT ACTIONS.....	20
G4. REPORTING A CAUSE FOR MODIFICATION	20
G5. PLAN REVIEW REQUIRED	20
G6. COMPLIANCE WITH OTHER LAWS AND STATUTES.....	21
G7. DUTY TO REAPPLY	21
G8. PERMIT TRANSFER	21
G9. REDUCED PRODUCTION FOR COMPLIANCE	21
G10. REMOVED SUBSTANCES	22
G11. PAYMENT OF FEES.....	22
G12. PENALTIES FOR VIOLATING PERMIT CONDITIONS	22

SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A.	Discharge Monitoring Report	Monthly	January 15, 2005
S4.A.	Operation and Maintenance Manual	1/permit cycle	December 30, 2004
S4.A.	O&M Manual Update or Review Confirmation Letter	Annually	December 30, 2005
S4.A.	O&M Appendix A	As needed	Prior to discharge of process wastewater and non-contact cooling water with unapproved additives
S4.A.	O&M Appendix B	As needed	Prior to discharge of process wastewater and non-contact cooling water with unapproved additives
S7.C.	Solid Waste Control Plan	1/permit cycle	December 30, 2004
S8.	Spill and Slug Discharge Prevention and Control Plan	1/permit cycle	December 30, 2004
S9.	Non-Contact Cooling Water Risk Analysis Report	As needed	Prior to cooling water discharge with unapproved additives
S10.	Compliance Schedule: Wastewater Metering and Sampling ER.	1/permit cycle	April 30, 2006
S10.	Letter confirming completion of the Schedule of Compliance	1/permit cycle	November 30, 2006
G7.	Application for permit renewal	1/permit cycle	November 30, 2008 ^a

^a At least one (1) year prior to permit expiration date

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

A. Outfall # 001 Process Wastewater

Beginning on **December 1, 2004** and lasting through **November 30, 2009**, the Permittee is authorized to discharge wastewater to the City of Cashmere wastewater treatment plant subject to the following limitations:

The discharge from this facility is subject to limitations established by contract between the facility and the City of Cashmere. The effluent limitations in the contract constitute the enforceable limits of this permit. Those limits shall be contained in Appendix A of the O&M Manual (see S4.A.). This permit anticipates that the facility and the City of Cashmere may renegotiate the contract during the course of this permit, as more information is generated on the variability of the discharge and the City's treatment capacity.

Upon establishment of a new contract, the facility shall submit the contract to the Department for approval. Upon approval, the limitations established in the new contract will become the enforceable limits of this permit. The approved contract shall be incorporated into the O&M Manual Appendix A.

Additionally, pH shall remain within the range 5 to 11 at all times.

B. Outfalls # 002, # 003 & # 004 Non-Contact Cooling Water with Additives

There are three non-contact cooling water(nccw) outfall locations. Outfall 002 is located in the engine room of the main plant, Building #1. Outfall # 003 is located south and east of the main plant in the Cinder Block Building, Building #2. Outfall # 004 is located south and west of the main plant in the Legion Hall Building, Building #3.

Beginning on **December 1, 2004** and lasting through **November 30, 2009**, the Permittee is authorized to discharge non-contact cooling with additives to the City of Cashmere wastewater treatment plant subject to the following limitations:

The discharge flow limitations for non-contact cooling water from this facility was subject to Departmental approval prior to discharge of non-contact cooling water with additives.

The discharge limitations for this facility are established by contract between the facility and the City of Cashmere. The effluent limitations in the contract constitute the enforceable limits of this permit.

Prior to establishment of any unapproved control chemistry, the facility shall submit a Non-Contact Cooling Water Risk Assessment Report and summary to the Department and City for approval. Upon approval, the effluent limitations contained in the approved summary report will then constitute the enforceable limits of this permit. The approved summary shall be placed in Appendix A of the O&M Manual. The entire report shall be contained in Appendix B of the O&M Manual (see S4.A.).

Additionally, pH shall remain within the range 5 to 11 at all times.

S2. MONITORING REQUIREMENTS

A.1. Wastewater Monitoring Outfall #001

The Permittee shall monitor the wastewater according to the following schedule:

Parameter	Units	Sample Point	Sampling Frequency	Sample Type
Flow	gpd	Meter	Continuous	Use Calculation ^b
BOD	mg/L	# 001	Twice Monthly ^a	24 hr.-Composite ^c
BOD	lbs/Day	"	"	Calculation ^d
TSS	mg/L	"	Once Monthly	24 hr.-Composite ^c
TSS	lbs/Day	"	Once Monthly	Calculation ^d
pH	Standard Units	"	Twice Monthly ^a	Grab ^e
a-"Twice Monthly" means sampled twice from non-consecutive days during calendar month.				
b-"Use Calculation" means calculated by the Permittee based on metered City of Cashmere water usage to estimate discharge minus the metered non-contact cooling make up water. Following completion of the Schedule of Compliance outfall #001 shall be metered directly.				
c-"24-hr. composite" means a series of individual samples collected over a 24-hour period into a single container, and analyzed as one sample. Following completion of the schedule of compliance the composite sample shall be flow proportioned via an auto-sampler no later than November 2006.				
d-"Calculation" means figured concurrently with the respective sample, using the following formula: Concentration (in mg/L) X Flow (in MGD) X Conversion Factor (8.34) = lbs/day.				
e-"Grab" means an individual sample collected over a fifteen (15) minute, or less, period.				

A.2.a. Non-Contact Cooling Water Monitoring

Outfalls # 002, # 003, & # 004

The Permittee shall monitor the wastewater according to the following schedule:

Parameter	Units	Sample Point	Sampling Frequency	Sample Type
Flow	Gallons per month	Meter #002	Monthly ^b	Metered
"	"	Meter #003	"	"
"	"	Meter #004	"	"
BOD	mg/L	# 002	Monthly ^b	Grab ^c
		# 003		
		# 004		
TSS	mg/L	# 002	Monthly ^b	
		# 003		
		# 004		
pH	Standard Units	# 002	Monthly ^b	"
"	"	# 003	"	"
"	"	# 004	"	"
Cooling Water Additives ^a	Kilograms	# 002	Monthly ^b	Combined Tally ^d
a- Cooling Water Additives will only be required to be monitored if the Permittee adopts a different anti-scalant and/or biocide control chemistry				
b- "Monthly" means meter is read once every calendar month or more frequently as to provide accurate monthly wastewater discharge volumes, when in operation.				
c- "Discreet Grab" means individual samples taken from each individual outfall.				
d- "Combined Tally" means the total monthly weight in kilograms of the individual additives used at all three non-contact cooling water locations				

A.2.b. Additional Non-Contact Cooling Water Monitoring

Outfalls # 002, # 003, & # 004

A.2.b. is only required in the event the Permittee adopts a different anti-scalant and/or biocide control chemistry which the Department requires a Non-Contact Cooling Water Risk Assessment Report and summary is needed prior to approval. Confirmation of the risk assessment conclusions is required via monitoring. The approved risk assessment report shall detail a monitoring program. The monitoring

requirements contained in the approved summary report shall be placed in Appendix A of the O&M Manual. The approved summary report shall constitute the enforceable monitoring requirements of this permit. The entire report shall be contained in Appendix B of the O&M Manual (see S4.A.). This permit anticipates the facility may change chemical additives during the course of this permit, as more information is generated regarding the discharge and substitutions are made to improve performance.

Upon establishment of any new additive chemistry, the facility shall submit an updated report to the Department and City for approval. Upon approval, the report and summary shall be incorporated into the O&M manual as an amendment to Appendix A and B and the monitoring requirements established in the new approved report will constitute the enforceable limits of this permit.

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, turbidity, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Crops, soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by the Department.

E. Request for Reduction in Monitoring

The Permittee may request the Department of Ecology (Department) review the data to determine whether a reduction of the sampling frequency is warranted after twelve (12) months of monitoring. The request shall: (1) be in written form, (2) clearly state the parameters for which the reduction in monitoring is being requested, and (3) clearly state the justification for the reduction. Any request for reduction in monitoring shall be granted at the Department's discretion and accomplished through an Administrative Order or permit modification.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on **December 1, 2004**. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. The report(s) shall be sent to:

Permit Data Systems Manager
Department of Ecology
Central Regional Office
15 West Yakima Avenue, Suite 200
Yakima, Washington 98902

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Special Condition S2. of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within thirty (30) days after becoming aware of the violation;
3. Immediately notify the Department and the local sewage treatment plant manager of the failure to comply; and

4. Submit a detailed written report to the Department within thirty (30) days (five (5) days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Dangerous Waste Discharge Notification

The Permittee shall notify the POTW and the Department in writing of the intent to discharge into the POTW any substance designated as a dangerous waste in accordance with the provisions of WAC 173-303-070. This notification shall be made at least ninety (90) days prior to the date that discharge is proposed to be initiated.

G. Spill Notification

The Permittee shall notify the POTW and the Department immediately (as soon as discovered) of all discharges that could cause problems to the POTW, such as process spills and unauthorized discharges (including slug discharges).

H. Maintaining a Copy of This Permit

A copy of this permit shall be kept at the facility and be made available upon request to Ecology inspectors.

S4. OPERATION AND MAINTENANCE (O&M)

The Permittee shall at all times be responsible for the proper O&M of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. O&M Manual

An O&M Manual shall be prepared by the Permittee in accordance with WAC 173-240-150 and be submitted to the Department for approval by **December 30, 2004**.

The O&M Manual shall be reviewed by the Permittee at least annually. The Permittee shall submit a letter annually indicating that the O & M Manual has been reviewed. All manual changes or updates shall be submitted to the Department whenever they are to be incorporated into the manual.

The approved O&M Manual shall be kept available at the permitted facility and all operators shall follow the instructions and procedures of this manual.

In addition to the requirements of WAC 173-240-150(1) and (2), the O&M Manual shall include:

1. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure;
2. Wastewater system maintenance procedures that contribute to the generation of process wastewater;
3. Any directions to maintenance staff when cleaning, or maintaining other equipment or performing other tasks which are necessary to protect the operation of the wastewater system (e.g. defining maximum allowable discharge rate for draining a tank, blocking all floor drains before beginning the overhaul of a stationary engine.);
4. O&M of sampling equipment (e. g., auto samplers, flow meters) used to verify compliance with the requirements of this permit; and,
5. The O & M Manual shall include an Appendix A. Appendix A shall contain the most recent Contract between the Permittee and the City of Cashmere. In addition, prior to discharge of non-contact cooling water with additives, an approved Risk Assessment Report summary shall be placed in Appendix A of the O&M Manual. The summary shall detail the approved limitations and monitoring requirements for the cooling water additives. Effluent limitations and monitoring requirements imposed by the City shall become the enforceable elements of the permit. In the event of a new contract being negotiated or that a new Risk Assessment Report is generated during the course of the permit cycle, that contract or approved Risk Assessment Report summary shall be placed in Appendix A, at which time any new effluent limits imposed by the City will become the enforceable limits of the permit; and,
6. The O & M Manual shall include an Appendix B. Appendix B shall contain the most current approved Non-Contact Cooling Water Risk Assessment Report.

B. Bypass Procedures

The Permittee shall immediately notify the Department and the receiving POTW of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass—Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department and the receiving POTW in accordance with Special Condition S3.E “Noncompliance Notification.”

2. Anticipated Bypass That Has The Potential to Violate Permit Limits or Conditions—Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department and the POTW at least thirty (30) days before the planned date of bypass. The notice shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Department will consider the following prior to issuing an administrative order:
 - a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
 - b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
 - c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny

the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, a violation of a pretreatment standard or requirement, or adversely impact public health as determined by the Department prior to the bypass.

S5. PROHIBITED DISCHARGES

A. General Prohibitions

The Permittee shall not introduce into the POTW pollutant(s) which cause Pass Through or Interference.

B. Specific Prohibitions

In addition, the following shall not be introduced into the POTW:

1. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 60°C (140°F) using the test methods specified in 40 CFR 261.21.
2. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference;
3. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;
4. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40°C (104°F) unless the approval authority, upon request of the POTW, approves alternative temperature limits;
5. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
6. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
7. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

8. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 or greater than 11.0.

C. Prohibited Unless Approved

1. Any of the following discharges are prohibited unless approved by the Department under extraordinary circumstances (such as a lack of direct discharge alternatives due to combined sewer service or a need to augment sewage flows due to septic conditions):
 - a. Noncontact cooling water in significant volumes greater than those permitted.
 - b. Storm water and other direct inflow sources.
 - c. Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the system.
2. Unless specifically authorized in this permit, the discharge of dangerous wastes as defined in Chapter 173-303 WAC, is prohibited.

S6. DILUTION PROHIBITED

The Permittee shall not dilute the wastewater discharge with stormwater or increase the use of potable water, process water, noncontact cooling water, or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

S7. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into State ground water, surface water or a POTW and be consistent with Chapter 173-304 WAC.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter State waters without providing all known, available and reasonable methods of prevention, control and treatment (AKART), nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC,

or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to State ground or surface waters.

C. Solid Waste Control Plan

The Permittee shall submit a Solid Waste Control Plan to the Department no later than **December 30, 2004**. This plan shall include all solid wastes with the exception of those solid wastes regulated by Chapter 173-303 WAC (Dangerous Waste Regulations). The plan shall include at a minimum a description, source, generation rate, and disposal methods of these solid wastes. This plan shall not be at variance with any approved local solid waste management plan. Any proposed revision or modification of the solid waste handling plan must be submitted to the Department. The Permittee shall comply with the plan and any modifications thereof. The Permittee shall submit an update of the solid waste control plan with the application for permit renewal one (1) year prior to the expiration date of this permit.

S8. SPILL AND SLUG DISCHARGE PREVENTION AND CONTROL PLAN

The Permittee shall submit to the Department a Spill and Slug Discharge Prevention and Control Plan for the prevention, containment, and control of spills or unplanned releases by **December 30, 2004**. The Permittee shall review and update the plan as needed. Changes to the plan shall be sent to the Department. The plan and any supplements shall be followed throughout the term of the permit.

The Spill and Slug Discharge Prevention and Control Plan shall include the following:

1. A description of a reporting system to be used to immediately notify facility management, the POTW operator, and appropriate State, Federal, and local authorities of any spills or slug discharges, and provisions to provide a written follow-up report within five days;
2. A description of operator training, equipment, and facilities (including overall facility plan) for preventing, containing, or treating spills or slug discharges;
3. A list of all raw materials, products, chemicals, and hazardous materials used, processed, or stored at the facility; the normal quantity maintained on the premises for each listed material; and a map showing where they are located.
4. A description of discharge practices for batch and continuous processes under normal and non-routine circumstances;

5. A brief description of any unauthorized discharges which occurred during the 36-month period preceding the effective date of this permit and subsequent measures taken by Permittee to prevent or to reduce the possibility of further unauthorized discharges; and
6. An implementation schedule including additional operator training and procurement and installation of equipment or facilities required to properly implement the plan.

Plans and manuals required by 40 CFR Part 112, contingency plans required by chapter 173-303 WAC, or other plans required by other agencies which meet the intent of this section may be submitted.

The current approved plan shall be maintained on the plant site and be readily available to facility personnel. The Permittee shall submit an update of the Spill and Slug Discharge Prevention and Control Plan, or a certification that it is current with the application for permit renewal.

S9. NON-CONTACT COOLING WATER RISK ANALYSIS REPORT

Prior to any discharge of non-contact cooling water with additives not previously approved by the Department, the Permittee may be required to develop a Non-Contact Cooling Water Risk Assessment Report and submit said report to the Department and the City of Cashmere for approval. The report at a minimum should contain:

- Complete disclosure with CAS identification of ALL chemical constituents contained in the treatment product; and,
- Concentration of constituents entering the STP; and,
- Mass balance of constituents based on daily and annual loading predicted to remain in the STP and that expected to pass through; and
- Based on the calculations, demonstrate the constituents will not negatively impact the STP or degrade surface and groundwater quality of the State at the level of addition proposed. In the matter of toxics the Permittee must cite independent references on biodegradation or other mechanisms, which will render these toxics safe; and,
- Establish limits of chemical addition and flow to protect the STP and the waters of the State; and,
- A sampling and analysis plan which will validate the conclusions of the report; and,
- A Best Management Plan to assure optimum use of the additives that minimizes use or discharge of the additives.

The Permittee may be required to at all times maintain accurate records of the total weight of the approved additives used at the three cooling locations.

If a report is required by the Department, the report(s) shall be submitted to the Department and the City for approval. Discharge of non-contact cooling water with additives is only permitted following approval of the report and inclusion of the report and any agreement reached between the City and Crunch Pak has been by placed in Appendix A of the O&M Manual.

S10. COMPLIANCE SCHEDULE: WASTEWATER METERING & SAMPLING

The Permittee shall submit engineered plans and specifications for installation of a wastewater flow meter and flow proportioned auto sampler for Department approval no later than **April 30, 2006**. Installation of the meter and auto sampler shall be completed and a letter of completion shall be submitted to the Department no later than **November 30, 2006**.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization, and
 - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the State.

Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection. Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the State; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least sixty (60) days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least one hundred eighty (180) days prior to the planned start of

construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least one (1) year prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and the receiving POTW is notified and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee shall control production or discharge to the extent necessary to maintain compliance with the terms and conditions of this permit upon reduction of efficiency, loss, or failure of its treatment facility until the treatment capacity is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power for the treatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the effluent stream for discharge.

G11. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G12. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.